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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,227	08/31/2000	Bernard A. Traversat	5181-64800	4782

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EXAMINER

CHEN, SHIN HON

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/653,227

Applicant(s)

TRAVERSAT ET AL.

Examiner

Shin-Hon Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8-31, 33-47 and 49-72 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-31, 33-47, and 49-72 is/are rejected.
- 7) ☒ Claim(s) 14, 22, 37, 46, 54, 60, 68, and 71 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/10/05</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-6, 8-31, 33-47, and 49-72 have been examined.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-6, 8-31, 33-47, and 49-72 have been considered but are moot in view of the new ground(s) of rejection.
3. Applicant's arguments, see Appeal Brief, filed 8/3/05, with respect to the rejection(s) of claim(s) 1-6, 8-31, 33-47, and 49-72 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Adams.

#### ***Double Patenting***

4. Claims 1-6, 8-31, 33-47, and 49-72 of this application conflict with claims 1-47 of Application No. 09/653,215. 37 CFR 1.78(b) provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application. Applicant is required to either cancel the conflicting claims from all but one application or maintain a clear line of demarcation between the applications. See MPEP § 822.

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686

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F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6. Claims 1-6, 8-31, 33-47, and 49-72 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-47 of U.S. Patent No. 09/653,215. Although the conflicting claims are not identical, they are not patentably distinct from each other because both applications are claiming method for accessing a service in a distributed computing environment in which a client request capability credentials to access portion of a service through advertisement.

#### ***Allowable Subject Matter***

7. Claims 14, 22, 37, 46, 54, 60, 68, and 71 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9. Claims 1, 2, 8-13, 15-17, 20, 21, and 23-26 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Adams U.S. Pat. No. 6718470 (hereinafter Adams).

10. As per claim 1, Adams discloses a method for communicating in a distributed computing environment, comprising: a client accessing an authentication service to obtain an authentication credential to use a first service (Adams: column 6 lines 31-67: receiving the attribute certificate); determining client capabilities for said client, wherein said client capabilities are capabilities of said first service that said client is permitted to use (Adams: column 6 lines 49-61: the centralized privilege data selector); binding said client capabilities to said authentication credential (Adams: column 6 lines 65-66: the matching attributes are sent as pre-qualification data); said client sending a first message to said first service, wherein said first message includes said authentication credential (Adams: column 6 line 67 – column 7 line 8); said first service using said authentication service to authenticate said authentication credential received in said first message (Adams: column 7 lines 3-8: the relying party uses the centralized privilege data selector to generate credential for authentication); and said first service responding to said first message if said authentication credential in said first message is determined to be authentic as from said client (Adams: column 7 lines 3-8).

11. As per claim 2, Adams discloses the method of claim 1. Adams further discloses the method comprising said client obtaining an address for said authentication service from an advertisement for said first service, wherein said accessing an authentication service comprises said client sending a message to said address for said authentication service requesting said

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authentication credential to use said advertised first service (Adams: figure 5 and column 6 lines 31-40).

12. As per claim 8, Adams discloses the method of claim 1. Adams further discloses said client sending a request message to said first service to access a capability of said first service, wherein said request message includes said authentication credential (Adams: column 6 line 67 – column 7 line 2); said first service determining that the capability requested in said request message is within said client capabilities (Adams: column 7 lines 3-8); and said first service fulfilling said request message only if the capability requested in said request message is within said client capabilities (Adams: column 7 lines 3-8).

13. As per claim 9, Adams discloses the method of claim 1. Adams further discloses wherein said determining client capabilities comprises said client accessing an access control policy service to obtain a capability token indicating which capabilities of said first service said client permitted to access (Adams: column 6 lines 31-67).

14. As per claim 10, Adams discloses the method of claim 10. Adams further discloses wherein said authentication service and said access policy service are combined as a single service and wherein said capability token is included within said authentication credential (Adams: column 6 lines 31-67).

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15. As per claim 11, Adams discloses the method of claim 1. Adams further discloses wherein said determining client capabilities is performed by said first service (Adams: column 6 lines 17-20: send the privilege test criteria data).

16. As per claim 12, Adams discloses the method of claim 1. Adams further discloses said client generating a message gate for accessing said first service, wherein said message gate sends request message from said client to said first service to access said first service, and wherein said message gate includes said authentication credential in each message to said first service (Adams: column 6 line 67 – column 7 line 8).

17. As per claim 13, Adams discloses the method of claim 1. Adams further discloses said client obtaining a service advertisement for said first service before accessing said first service, wherein said service advertisement comprises an address for said authentication service and an address for said first service (Adams: column 6 lines 31-48).

18. As per claim 15, Adams discloses the method of claim 1. Adams further discloses wherein said authentication service is a separately addressable service from said first service (Adams: column 6 lines 38-42 and figure 5: centralized privilege data selector).

19. As per claim 16, Adams discloses the method of claim 1. Adams further discloses wherein said client accessing an authentication service to obtain an authentication credential to use a first service comprises said authentication service returning said authentication credential to said

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client only if said client is authorized to access said first service (Adams: column 6 lines 61-67: only send the matching attributes certificates).

20. As per claim 17, Adams discloses a method for communication in a distributed computing environment, comprising: a client obtaining a service advertisement for a first service, wherein said service advertisement includes an address for an authentication service (Adams: column 6 lines 31-67); said client sending a request message to said authentication service to obtain an authentication credential to use said first service (Adams: column 6 lines 49-52); said client generating a message gate for accessing said first service, wherein said message gate embeds said authentication credential in every message from said client to said first service (Adams: column 6 lines 65-67); and said client accessing said first service through said message gate (Adams: column 6 line 67 – column 7 line 8).

21. As per claim 20, Adams discloses the method of claim 17. Adams further discloses said first service using said authentication service to determine if said authentication credential received in a first message from said client is authentic service (Adams: column 6 lines 17-20: send the privilege test criteria data).

22. As per claim 21, Adams discloses the method of claim 20. Adams further discloses authenticating said authentication credential received in said first message from said client, said first service determining which capabilities of said first service said client is authorized to use,



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wherein said first service responds to a request message from said client only if said request message is for an authorized capability for said client (Adams: column 7 lines 3-8).

23. As per claim 23, Adams discloses the method of claim 20. Adams does not explicitly disclose said first service noting whether or not said authentication credential is authentic so that said first service does not need to repeat said using said authentication service to determine if said authentication credential received in a first message from said client is authentic. However, Single-Sign-On is well known in the art to reduce the burden of authentication services. Therefore, it would have been obvious to one having ordinary skill in the art to allow the system to note whether the said authentication credential is authentic to avoid repeating authentication process.

24. As per claim 24, Adams discloses the method of claim 17. Adams further discloses wherein said service advertisement for said first service further includes an address for accessing said first service, wherein said authentication service and said first service are separate services within the distributed computing environment (Adams: column 6 lines 31-41).

25. As per claim 25, Adams discloses the method of claim 17. Adams further discloses wherein said service advertisement further includes a service identifier token for said first service, wherein said client sending a request message to said authentication service to obtain an authentication credential comprises sending said service identifier token and a client identifier token to said authentication service (Adams: column 6 lines 49-61).

26. As per claim 26, Adams discloses the method of claim 25. Adams further discloses wherein said authentication service generates said authentication credential from said client identifier token and said service identifier token (Adams: column 6 lines 49-61).

***Claim Rejections - 35 USC § 103***

27. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

28. Claims 3-6, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams in view of Czerwinski et al. "An Architecture for a Secure Service Discovery Service" (hereinafter Czerwinski).

29. As per claim 3 and 44, Adams discloses the method of claims 2 and 28. Adams does not explicitly disclose said advertisement for said first service includes a data representation language schema defining a message interface for accessing said first service. However, Czerwinski discloses defining a message interface using XML for accessing a service (Czerwinski: 2.3 XML Service Descriptions). It would have been obvious to use XML message interface to allow communications between the relying parties and subscribers. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's

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invention to combine the teachings of Czerwinski within the system of Adams because XML is well known in the art to provide greater flexibility as communication interfaces.

30. As per claim 4, Adams as modified discloses the method of claim 3. Adams as modified further discloses wherein said first message corresponds to a message defined in said data representation language schema(Czerwinski: XML queries).

31. As per claim 5, Adams as modified discloses the method of claim 4. Adams as modified further discloses the method comprising said client sending additional messages to said first service to use said first service, wherein said authentication credential is included with each one of said additional messages (Adams: column 6 lines 31-67), and wherein each one of said additional messages is defined by said data representation schema (Czerwinski: XML queries).

32. As per claim 6, Adams as modified discloses the method of claim 5. Adams as modified further discloses said data representation language schema is an eXtensible Markup Language (XML) schema (Czerwinski: 2.3 XML Service Descriptions).

33. As per claim 18, Adams discloses the method of claim 17. Adams does not explicitly disclose wherein said service advertisement further comprises a data representation language schema defining a message interface for accessing said first service, the method further comprising said message gate verifying that every message sent from said client to said first service complies with said data representation language schema. However, Czerwinski discloses

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defining a message interface using XML for accessing a service (Czerwinski: 2.3 XML Service Descriptions). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to use XML to communicate between two parties. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Czerwinski within the system of Adams because XML allows the encoding of arbitrary structures of hierarchical named values.

34. As per claim 19, Adams as modified discloses the method of claim 18. Adams as modified further discloses wherein said data representation language schema is an eXtensible Markup Language (XML) schema and said messages from said client to said first service are XML messages (Czerwinski: 2.3 XML Service Descriptions).

35. Claims 27-31, 33-36, 38-45, 47, 49-53, 55-59, 61-67, 69, 70 and 72 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Adams or under 35 U.S.C. 103 (a) as being unpatentable over Adams in view of Czerwinski.

36. As per claim 27-31, 33-36, and 38-42, claims 27-31, 33-36, and 38-42 encompass the same scope as claims 1-6, 8-11, 15, and 16. Therefore, claims 27-31, 33-36, and 38-42 are rejected based on the same reasons set forth in rejecting claims 1-6, 8-11, 15, and 16.

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37. As per claim 43-45, 47, 49, and 50, claims 43-45, 47, 49, and 50 encompass the same scope as claims 1-6, 8-11, 15, and 16. Therefore, claims 43-45, 47, 49, and 50 are rejected based on the same reasons set forth in rejecting claims 1-6, 8-11, 15, and 16.

38. As per claim 51-53 and 55-57, claims 51-53 and 55-57 encompass the same scope as claims 1-6, 8-11, 15, and 16. Therefore, claims 51-53 and 55-57 are rejected based on the same reasons set forth in rejecting claims 1-6, 8-11, 15, and 16.

39. As per claim 58, 59, and 61, claims 58, 59, and 61 encompass the same scope as claims 17-21 and 23-36. Therefore, claims 58, 59, and 61 are rejected based on the same reasons set forth in rejecting claims 17-21 and 23-36.

40. As per claim 62-67, claims 62-67 encompass the same scope as claims 1-6, 8-11, 15, and 16. Therefore, claims 62-67 are rejected based on the same reasons set forth in rejecting claims 1-6, 8-11, 15, and 16.

41. As per claim 69, 70, and 72, claims 69, 70, and 72 encompass the same scope as claims 17-21 and 23-36. Therefore, claims 69, 70, and 72 are rejected based on the same reasons set forth in rejecting claims 17-21 and 23-36.

***Conclusion***

42. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rosenberg et al. E.P. 0892530 discloses method for wide area network service location involving service advertisement.

Moses et al. U.S. Pat. No. 6108788 discloses certificate management system and method for a communication security system.

He et al. U.S. Pat. No. 6088451 discloses security system and method for network element access.

Bittinger et al. U.S. Pat. No. 6453362 discloses method for invoking server applications using tickets registered in a client-side remote object registries.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shin-Hon Chen  
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